

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
ELIZABETH HARDING WEINSTEIN,

Plaintiff,

**ORDER**

- against -

No. 21-CV-1996 (CS)

VILLAGE OF BRIARCLIFF MANOR, *et al.*,

Defendants.

-----x  
Seibel, J.

WHEREAS Plaintiff has raised the issue of her competency in this matter by, among other things, challenging a commitment order allegedly issued by Village Justice Howard T. Code on March 9, 2021, (*see* Doc. 5);

WHEREAS the Court finds it appropriate given the circumstances to conduct an inquiry into Plaintiff's competency and whether it would be appropriate to appoint a guardian *ad litem* pursuant to Federal Rule of Civil Procedure 17(c), *see Lewis v. Newburgh Hous. Auth.*, 692 F. App'x 673, 674-75 (2d Cir. 2017) (summary order), *as amended* (July 6, 2017), or take other appropriate measures; and

WHEREAS the records relating to the alleged commitment order are not publicly accessible to the Court, and in the interest of judicial economy,

IT IS HEREBY ORDERED that the Village of Briarcliff Clerk of Court shall, no later than April 20, 2021, submit to the Court any and all records relating to Plaintiff's competency, including any evaluations and rulings, along with a letter explaining which records, if any, are public; and it is further

ORDERED that Plaintiff may also, no later than April 20, 2021, supply any records relating to competency that she wishes the Court to consider, along with a letter explaining which records, if any, are public, as well as suggestions for who might be willing to serve as her guardian *ad litem* should she be found to be incompetent.

The parties shall make their submissions directly to my chambers.

The Court will serve this Order on Plaintiff via ECF and on the Village of Briarcliff Clerk of Court through Lewis Silverman, Esq., who has indicated that he is authorized to accept service.

**SO ORDERED.**

Dated: April 6, 2021  
White Plains, New York

  
\_\_\_\_\_  
CATHY SEIBEL, U.S.D.J.